

## Message Text

PAGE 01 STATE 218075

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ORIGIN NEA-10

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INR-07 NSAE-00 PA-01 USIA-06 PRS-01 SP-02 L-03 COME-00

FEA-01 AGR-05 CEA-01 FRB-03 H-02 INT-05 LAB-04 NSC-05

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FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI

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E.O. 11652: N/A

TAGS: USINJC, IN

SUBJECT: INDO-U.S. JOINT COMMISSION MEETING IN OCTOBER -  
WORKING DRAFT OF MINUTES

REF: A) STATE 216663; B) NEW DELHI 12385

FOLLOWING TEXT DELIVERED TO INDIAN EMBASSY IN WASHINGTON  
SEPTEMBER 12. WE STRESSED THAT PAPER IS WORKING DRAFT ONLY  
WITH IDEAS ON WHAT SUBCOMMISSION WOULD PUT FORWARD FOR  
JOINT COMMISSION APPROVAL. WE ARE ASKING THE INDIANS TO  
RESPOND BY SEPTEMBER 19. EMBASSY SHOULD FOLLOW UP AS  
APPROPRIATE WITH GOI.

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PAGE 02 STATE 218075

BEGIN TEXT

1. THE JOINT COMMISSION HEARD AND APPROVED REPORTS OF THE  
THREE SUBCOMMISSIONS, AND GAVE DIRECTIONS AS TO FUTURE

INITIATIVES WITHIN THE JOINT COMMISSION FRAMEWORK.

EDUCATIONAL AND CULTURAL AFFAIRS

2. WITH RESPECT TO THE WORK OF THE EDUCATIONAL AND CULTURAL SUBCOMMISSION, THE JOINT COMMISSION APPROVED PLANS FOR THE MAJOR IMPACT EXHIBITION OF INDIAN TRADITIONAL, CONTEMPORARY

AND FOLK ART PROPOSED TO BE HELD IN THE U.S. IN 1977. THE SUBCOMMISSION WAS INSTRUCTED TO PURSUE THIS WORK, IN COLLABORATION WITH THE FIELD MUSEUM OF CHICAGO WHICH IS IN THE EARLY STAGES OF PLANNING SUCH AN EXHIBIT AND WITH THE PHILADELPHIA MUSEUM OF ART WHICH IS PLANNING A MAJOR INDIAN EXHIBIT TO BE ENTITLED "MANIFESTATIONS OF SHIVA". THE SUBCOMMISSION WAS INSTRUCTED TO PURSUE THE PROJECT WITH OTHER MUSEUMS WHICH HAVE EXPRESSED AN INTEREST, SUCH AS BOSTON, METROPOLITAN, LOS ANGELES AND DENVER MUSEUMS, AND TO EXPLORE THE PROPOSAL FOR A SIMILAR AMERICAN EXHIBIT IN INDIA.

3. THE JOINT COMMISSION REVIEWED PREPARATIONS FOR TWO JOINT SEMINARS, ONE ON "METHODS IN HISTORY" TO BE HELD IN INDIA EARLY NEXT YEAR AND ONE ON "MUSEUMS AS EDUCATIONAL RESOURCES" PLANNED FOR THE UNITED STATES NEXT SPRING. THE JOINT COMMISSION APPROVED A PROPOSAL FOR TWO SEMINARS TO BE HELD IN LATE 1976: "LINKAGES IN AGRICULTURE AND EDUCATION" TO BE HELD IN INDIA AND "EDUCATIONAL TECHNOLOGY" TO BE HELD IN THE UNITED STATES.

4. THE JOINT COMMISSION ENDORSED THE IDEA OF JOINT COMMISSION SCHOLARSHIPS. AS A BEGINNING FOR THIS PROGRAM IT WAS AGREED THAT 10 SCHOLARSHIPS WOULD BE GRANTED TO INDIAN AND AMERICAN SCHOLARS, RESPECTIVELY. THE SUBCOMMISSION WAS INSTRUCTED TO DECIDE AT ITS NEXT MEETING THE FIELDS FOR STUDY AND RESEARCH THAT THESE SCHOLARS WILL PURSUE, AND TO TAKE STEPS PROMPTLY TO BEGIN AN EXCHANGE OF LIMITED OFFICIAL USE  
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PAGE 03 STATE 218075

VISITORSHIPS AS PROPOSED BY THE SUBCOMMISSION IN ITS FEBRUARY REPORT.

5. IN ADDITION, THE JOINT COMMISSION APPROVED THE ESTABLISHMENT OF A JOINT COMMITTEE ON MUSEUMS WHICH WILL PARTICIPATE IN PLANNING ALL MUSEUM RELATED ACTIVITIES, INCLUDING THE INDIAN AND AMERICAN IMPACT EXHIBITS AND THE "MUSEUMS AS EDUCATIONAL RESOURCES" SEMINAR. THE AMERICAN PANEL OF THE COMMITTEE MET IN NEW YORK ON SEPTEMBER 25 AND THE FULL JOINT COMMITTEE WILL MEET IN NEW DELHI IN JANUARY.

6. FINALLY, THE JOINT COMMISSION APPROVED THE ESTABLISH-

MENT OF THE U.S. SECRETARIAT OF THE SUBCOMMISSION ON EDUCATION AND CULTURE AT THE ASIA SOCIETY IN NEW YORK AND THE INDIAN SECRETARIAT AT THE INDIAN COUNCIL ON CULTURAL RELATIONS. IT INSTRUCTED THE SUBCOMMISSION TO MOVE FORWARD WITH PLANS TO HAVE A SUBCOMMISSION MEETING IN NEW YORK MAY 4-6, 1976.

#### ECONOMIC AND COMMERCIAL AFFAIRS

##### JOINT BUSINESS COUNCIL

7. THE JOINT COMMISSION WELCOMED THE ACTION OF PRIVATE BUSINESS LEADERS OF THE TWO COUNTRIES TO ESTABLISH A JOINT BUSINESS COUNCIL, WHICH IS TO PROVIDE A FORUM FOR THE PRIVATE SECTOR TO PARTICIPATE JOINTLY IN THE DEVELOPMENT OF BILATERAL ECONOMIC RELATIONS. THE FEDERATION OF INDIAN CHAMBERS OF COMMERCE AND INDUSTRY, AND THE CHAMBER OF COMMERCE OF THE UNITED STATES, HAVE AGREED TO ORGANIZE THEIR RESPECTIVE SIDES OF THE COUNCIL. UNDERLINING THE IMPORTANCE OF THIS INITIATIVE, THE COMMISSION EXPRESSED SPECIAL SATISFACTION THAT SUCH EMINENT PERSONALITIES AS MR. ORVILLE FREEMAN AND MR. HARISH MAHINDRA WILL SERVE AS CHAIRMEN FOR THEIR RESPECTIVE SIDES. THE FIRST MEETING OF THE COUNCIL WILL TAKE PLACE IN NEW DELHI IN FEBRUARY, 1975.

8. THE COMMISSION ENDORSED A SUGGESTION FROM THE SUBCOMMISSION THAT THE COUNCIL BE ASKED TO TAKE THE LEAD IN LIMITED OFFICIAL USE  
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PAGE 04 STATE 218075

SPONSORING AN INDO-U.S. TRADE AND INVESTMENT CONFERENCE IN 1976. THE CONFERENCE WOULD FOCUS ON JOINT VENTURE COLLABORATION IN THIRD COUNTRIES AND THE ROLE FOR INDIAN SUBCONTRACTORS AND CONSULTANTS.

#### TRADE

9. THE JOINT COMMISSION REVIEWED TRADE RELATIONS AND AGREED TO TAKE JOINT MEASURES TO PROMOTE A SUBSTANTIAL INCREASE IN INDO-U.S. TRADE BY 1980, AN INCREASE CHARACTERIZED BY BOTH EXPANDING VOLUME AND DIVERSITY OF PRODUCT RANGE. RECENT U.S. TRADE POLICY DEVELOPMENTS AND INDIAN SURVEYS OF THE U.S. MARKET SHOULD IMPROVE OPPORTUNITIES IN THE U.S. MARKET FOR INDIAN EXPORTERS. NEW INITIATIVES IN THE INDIAN MARKET BY U.S. TRADERS SHOULD BROADEN THE SALE OF U.S. INPUTS IN THAT MARKET. THIS EXPANSION IS EXPECTED TO BE SPEARHEADED BY INCREASED INDIAN EXPORTS OF MODERN INDUSTRIAL MACHINERY AND EQUIPMENT AND OTHER NON-TRADITIONAL MANUFACTURED EXPORTS AND INCREASED U.S. EXPORTS TO INDIA OF HIGH TECHNOLOGY PRODUCTS AND CAPITAL EQUIPMENT OF PRIORITY INTEREST TO INDIA.

10. TO FURTHER STIMULATE TRADE EXPANSION, THE COMMISSION AUTHORIZED JOINT COMMISSION-SPONSORED TRADE PROMOTION EVENTS WHICH WOULD BE MOUNTED INDEPENDENTLY BY EACH GOVERNMENT AND WOULD INCLUDE TRADE MISSION, TRADE SHOWS, AND EXHIBITS AND CATALOG SHOWS CENTERED ON TARGET INDUSTRIES.

11. THE COMMISSION REVIEWED THE STATUS OF TRADE-RELATED

CONSULTATIONS AND ACTIONS ARISING FROM THE JANUARY, 1975 ECONOMIC AND COMMERCIAL SUBCOMMISSION MEETING AND NOTED WITH SATISFACTION THAT CONSIDERABLE PROGRESS HAS BEEN MADE. EFFECTIVE AND TIMELY CONSULTATION IN SUCH DIVERSE AREAS AS THE MICA TRADE, U.S. SANITARY REGULATIONS, AND INDIVIDUAL INVESTMENT PROBLEMS OF U.S. FIRMS IN INDIA HAVE BEEN USEFUL IN DEALING WITH POTENTIALLY SERIOUS PROBLEMS. REGULAR PROCEDURES FOR THE EXCHANGE OF MARKETING INFORMATION HAVE BEEN ESTABLISHED AND USEFUL DATA HAS BEEN EXCHANGED. AN INDIAN ENGINEERING PRODUCTS SURVEY TEAM  
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PAGE 05 STATE 218075

VISITED THE U.S. IN SEPTEMBER. INDIAN PRODUCT LISTS HAVE BEEN RECEIVED AND ARE UNDER STUDY IN THE UNITED STATES IN THE CONTEXT OF THE TRADE ACT OF 1974, IN PURSUIT OF THE U.S. COMMITMENT TO ASSURE EXPANDED ACCESS TO THE U.S. MARKET BY ITS TRADING PARTNERS AMONG DEVELOPING COUNTRIES.

INVESTMENT

12. THE COMMISSION DISCUSSED THE DIFFICULTIES AMERICAN FIRMS ARE EXPERIENCING IN CARRYING OUT BUSINESS ACTIVITY IN INDIA. THE U.S. SIDE POINTED OUT THAT EXISTING INVESTMENT GUIDELINES, REGULATIONS AND APPROVAL PROCEDURES OFTEN HAMPER NORMAL BUSINESS ACTIVITY AND ARE NOT CONDUCIVE TO FOREIGN INVESTMENT IN INDIA. THERE HAVE BEEN CONSULTATIONS ON INDIVIDUAL INVESTMENT PROBLEMS OF U.S. FIRMS IN INDIA IN CONNECTION WITH THE FERA AND OTHER ISSUES. BOTH GOVERNMENTS RECOGNIZE THE NEED FOR IMPROVING THIS CONSULTATIVE MECHANISM IN ORDER TO ESTABLISH THE CLIMATE IN WHICH INDIAN AND U.S. FIRMS CAN COOPERATE.

13. THE GOVERNMENT OF INDIA REAFFIRMED ITS DESIRE TO ATTRACT NEW FOREIGN INVESTMENT IN FIELDS OF HIGH PRIORITY WHERE THE IMPORT OF FOREIGN TECHNOLOGY IS NECESSARY. IT AGREED TO FACILITATE TO THE FULLEST EXTENT POSSIBLE THE ACTIVITIES OF AMERICAN FIRMS IN INDIA IN ACCORDANCE WITH EXISTING LAW AND REGULATIONS. IT AFFIRMED THAT IT DID NOT INTEND TO NATIONALIZE OR EXPROPRIATE APPROVED FOREIGN INVESTMENT.

14. THE U.S. GOVERNMENT WELCOMED THESE STATEMENTS NOTING THAT A PUBLIC STATEMENT BY THE GOI TO THIS AFFECT WOULD BE USEFUL AS A MEANS OF ALLEVIATING CONCERN OF THE AMERICAN BUSINESS COMMUNITY IN INDIA. ACCORDINGLY, THE ECONOMIC AND COMMERCIAL SUBCOMMISSION WAS DIRECTED TO PREPARE SUCH A STATEMENT WHICH WOULD CLARIFY GOVERNMENT OF INDIA POLICY TOWARD AMERICAN INVESTMENT AND SET FORTH PRINCIPLES WHICH WOULD PROVIDE A FAVORABLE BASIS FOR THE BUSINESS OPERATION OF AMERICAN INVESTORS IN INDIA.

15. THE JOINT COMMISSION DECIDED TO ESTABLISH CONTINUING POINTS OF CONTACT FOR DISCUSSIONS OF SPECIFIC OPERATIONAL LIMITED OFFICIAL USE  
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PAGE 06 STATE 218075

PROBLEMS OF U.S. FIRMS IN INDIA OR SEEKING APPROVAL FOR INVESTMENT IN INDIA. THEREFORE, THE JOINT COMMISSION DIRECTED THAT THE OFFICE OF THE INDIAN EMBASSY'S MINISTER FOR COMMERCE AND SUPPLIES AND THAT OF THE U.S. DEPUTY ASSISTANT SECRETARY OF STATE FOR COMMERCIAL AND SPECIAL BILATERAL AFFAIRS BE THE OFFICIAL WASHINGTON CONTACT POINTS FOR THESE DISCUSSIONS. THE JOINT COMMISSION FURTHER DIRECTED THAT IN NEW DELHI, APPROPRIATE U.S. EMBASSY OFFICIALS WOULD DISCUSS THE ISSUES WITH KEY OFFICIALS TO BE DESIGNATED BY THE GOVERNMENT OF INDIA.

16. THE GOVERNMENT OF INDIA PROVIDED TO THE JOINT COMMISSION THE FOLLOWING LIST OF AREAS IN WHICH NEW AMERICAN INVESTMENT WOULD BE WELCOME:

PRODUCTION OF SELECTED DRUGS AND PESTICIDES;  
MANUFACTURE OF NEWSPRINT AND SPECIAL VARIETIES OF PAPER FROM SHORT FIBER HARD WOOD;  
MANUFACTURE OF LEATHER PROCESSING AND FOOTWEAR MACHINERY;  
MANUFACTURE OF SPECIAL PURPOSE MACHINE TOOLS;  
MINERAL DEVELOPMENT, WITH THE UNDERSTANDING THAT OWNERSHIP OF INDIA'S MINERAL RESOURCES BY A FOREIGN INVESTOR WOULD NOT BE PERMITTED.

17. IT WAS AGREED THAT ONCE THE GOI CLARIFIED ITS FOREIGN INVESTMENT POLICY AND RESOLVED SPECIFIC ISSUES OF CONCERN TO AMERICAN INVESTORS THE U.S. GOVERNMENT WOULD MAKE A POSITIVE EFFORT TO INTEREST AMERICAN FIRMS IN INVESTING IN THESE AREAS.

WORKING GROUP ON PRIVATE SECTOR COOPERATION

18. THE JOINT COMMISSION APPROVED PLANS FOR THE ESTABLISHMENT OF A NEW ECONOMIC AND COMMERCIAL SUBCOMMISSION WORKING GROUP ON PRIVATE SECTOR COOPERATION. THE WORKING GROUP WILL IDENTIFY SPECIFIC MAJOR CAPITAL PROJECTS AND PROMOTE

PRIVATE SECTOR COOPERATION INCLUDING THE TRANSFER OF  
TECHNOLOGY IN BOTH DIRECTIONS BY MEANS OF JOINT VENTURES  
AND OTHER ECONOMIC ARRANGEMENTS. COLLABORATION IN THIRD  
COUNTRIES AND THE ROLE FOR INDIAN SUBCONTRACTING AND CON-  
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PAGE 07 STATE 218075

SULTANCY SERVICES WOULD BE INCLUDED IN THE MANDATE OF THE  
GROUPS. THE COMMISSION DIRECTED THAT THE GROUP MEET BE-  
FORE THE NEXT SUBCOMMISSION MEETING.

#### AGRICULTURAL INPUTS WORKING GROUP

19. THE JOINT COMMISSION, NOTING THE ROLE OF AGRICULTURE  
IN THE INDIAN AND UNITED STATES ECONOMIES, RECEIVED RE-  
PORTS ON THE MEETINGS OF THE AGRICULTURE INPUTS WORKING  
GROUP ON WORLD FERTILIZER PRICE AND SUPPLY PATTERNS,  
INDIAN FERTILIZER PRODUCTION DEVELOPMENTS, AND INDIAN  
FERTILIZER AND PESTICIDE REQUIREMENTS. THE COMMISSION IN-  
STRUCTED THE WORKING GROUP TO CONTINUE ITS WORK IN THIS  
AREA, AND DIRE"TED THAT IT ARRANGE CONSULTATIONS ON THE  
RESOLUTION OF PROBLEMS IN PURCHASING AND SHIPPING U.S.  
GRAIN AND ON THE MORE EFFECTIVE EXCHANGE OF INFORMATION  
ON AGRICULTURAL RESEARCH INCLUDING PLANT PROTECTION AND  
SEED DEVELOPMENT.

#### TAX TREATY

20. PLANS FOR INITIAL DISCUSSIONS ON A PROPOSED TAX  
TREATY WERE RECEIVED BY THE JOINT COMMISSION. IT WAS NOT-  
ED THAT REPRESENTATIVES OF THE TWO GOVERNMENTS WOULD MEET  
IN WASHINGTON ON OCTOBER 16-17, 1975 TO DISCUSS THIS  
MATTER.

#### CONSULAR CONVENTION

21. THE JOINT COMMISSION NOTED THAT THE CONCLUSION OF AN  
INDO-U.S. CONSULAR CONVENTION WOULD HAVE A POSITIVE IM-  
PACT ON THE INVESTMENT CLIMATE, TRADE, AND BUSINESS  
OPERATIONS IN BOTH COUNTRIES AND AGREED THAT IT WOULD BE  
DESIRABLE FOR THE U.S. AND INDIAN GOVERNMENTS TO INITIATE  
DISCUSSIONS ON A CONSULAR CONVENTION AT AN EARLY DATE.

#### ECONOMIC AND COMMERCIAL SUBCOMMISSION MEETING

22. THE ECONOMIC AND COMMERCIAL SUBCOMMISSION REPORTED  
THAT IT WOULD MEET IN NEW DELHI IN FEBRUARY OF 1976, FOLLOW-  
ING THE NEW DELHI MEETING OF THE JOINT BUSINESS COUNCIL.  
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PAGE 08 STATE 218075

SCIENCE AND TECHNOLOGY AFFAIRS

23. THE JOINT COMMISSION CONFIRMED THE INTEREST OF BOTH COUNTRIES IN INTENSIFYING THEIR COOPERATION IN SCIENTIFIC AND TECHNOLOGICAL RESEARCH. IT RECEIVED REPORTS BY THE SCIENTIFIC AND TECHNOLOGICAL SUBCOMMISSION ON PROSPECTS FOR FURTHERING COOPERATION IN THE PRIORITY AREAS AGREED UPON AT THE JANUARY 1975 SCIENCE AND TECHNOLOGY SUBCOMMISSION MEETING (AGRICULTURE, ENERGY AND NATURAL RESOURCES, HEALTH, ELECTRONICS AND COMMUNICATIONS, ENVIRONMENT AND EXCHANGES OF SCIENTISTS AND INFORMATION).

24. THE COMMISSION NOTED WITH SATISFACTION THAT, SINCE

THE SCIENCE AND TECHNOLOGY SUBCOMMISSION MEETING IN JANUARY OF 1975, THIRTY NINE COOPERATIVE PROJECTS TALLING RS. 19,320,000 HAVE BEEN APPROVED BY BOTH GOVERNMENTS AND HAVE COMMENCED OR ARE IN THE FINAL STAGES OF PROCESSING. BOTH GOVERNMENTS ALSO HAVE EXCHANGES INFORMATION AND PROPOSALS RELATING TO COOPERATION IN THE PRIORITY AREAS. IN ADDITION, THERE HAVE BEEN SEVERAL PROJECT DEVELOPMENT VISITS TO INDIA.

24. THE COMMISSION DIRECTED THAT THE SUBCOMMISSION EXPEDITE ITS EFFORTS TO SEEK AGREEMENT ON OTHER CONCRETE PROJECTS IN THE PRIORITY AREAS. THE UNITED STATES GOVERNMENT STATED THAT IT WOULD PROVIDE AN ADDITIONAL \$200,000 IN ORDER TO FACILITATE VISITS TO THE UNITED STATES BY THE INDIAN SCIENTISTS WORKING ON PROJECTS WITHIN THE JOINT COMMISSION FRAMEWORK.

25. THE JOINT COMMISSION NOTED THE HISTORY OF LONG COOPERATION BETWEEN THE UNITED STATES AND INDIA IN SCIENCE AND TECHNOLOGY EMPHASIZING THE TANGIBLE BENEFITS TO BOTH COUNTRIES THAT HAVE ACCURED OVER THE PAST 15 YEARS OF COLLABORATIVE RESEARCH EFFORTS. THE COMMISSION ALSO NOTED RECENT INSTANCES OF UNJUSTIFIED CRITICISM OF COOPERATIVE RESEARCH PROJECTS CONTRARY TO THE SPIRIT OF SCIENTIFIC COOPERATION WHICH THE COMMISSION DESIRES TO FOSTER. THE COMMISSION STRESSED THAT THE COOPERATIVE PROGRAMS, PRO-LIMITED OFFICIAL USE LIMITED OFFICIAL USE

PAGE 09 STATE 218075

JECTS AND ACTIVITIES DEVELOPED AND IMPLEMENTED UNDER I;S AUSPICES OR BY CONSTITUTED INTERGOVERNMENTAL MECHANISMS HAVE MET THE TEST OF MUTUAL BENEFIT AND WOULD BE ENCOURAGED AND ALLOWED TO PROCEED WITH THE STRONG ENDORSEMENT OF BOTH GOVERNMENTS.

MEETING OF THE SUBCOMMISSION ON SCIENCE AND TECHNOLOGY

26. THE SUBCOMMISSION ON SCIENCE AND TECHNOLOGY WILL MEET  
IN NEW DELHI NOT LATER THAN DECEMBER 31, 1975. KISSINGER

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